



General Assembly

February Session, 2002

Amendment

LCO No. 3039

SB0039003039SD0

Offered by:

SEN. HARTLEY, 15th Dist.
SEN. SOMMA, 16th Dist.
REP. BERGER, 73rd Dist.
REP. D'AMELIO, 71st Dist.

REP. CONWAY, 75th Dist.
REP. BEAMON, 72nd Dist.
REP. NOUJAIM, 74th Dist.

To: Subst. Senate Bill No. 390

File No. 97

Cal. No. 104

**"AN ACT CONCERNING MODIFICATIONS AND EXEMPTIONS
FROM THE STATE BUILDING CODE AND THE FIRE SAFETY
CODE."**

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective October 1, 2002*) Not later than January 1,
4 2003, the State Building Inspector and the Codes and Standards
5 Committee, in conjunction with the Commissioner of Public Safety,
6 shall create a list of variations or exemptions from, or equivalent or
7 alternate compliance with, the State Building Code granted relative to
8 existing buildings in the last two calendar years and shall update such
9 list biennially. Not later than April 1, 2003, the Commissioner of Public
10 Safety shall, within available appropriations, (1) send such list to all
11 local building officials, (2) take appropriate actions to publicize such
12 list, and (3) educate local building officials and the public on how to

13 use the list.

14 Sec. 2. (NEW) (*Effective October 1, 2002*) Not later than January 1,
15 2003, the State Fire Marshal and the Codes and Standards Committee
16 shall create a list of variations or exemptions from, or equivalent or
17 alternate compliance with, the State Fire Safety Code granted relative
18 to existing buildings in the last two calendar years and shall update
19 such list biennially. Not later than April 1, 2003, the State Fire Marshal
20 shall, within available appropriations, (1) send such list to all local fire
21 marshals, (2) take appropriate actions to publicize such list, and (3)
22 educate local fire marshals and the public on how to use the list.

23 Sec. 3. Subsection (b) of section 29-254 of the general statutes is
24 repealed and the following is substituted in lieu thereof (*Effective*
25 *October 1, 2002*):

26 (b) The State Building Inspector may grant variations or exemptions
27 from, or approve equivalent or alternate compliance with, the State
28 Building Code where strict compliance with the code would entail
29 practical difficulty or unnecessary hardship, or is otherwise adjudged
30 unwarranted, provided that the intent of the law shall be observed and
31 public welfare and safety be assured. [Applications for a modification
32 of the State Building Code] Any application for a variation or
33 exemption or equivalent or alternate compliance received by a local
34 building official shall be forwarded to the State Building Inspector by
35 first class mail within fifteen business days of receipt by such local
36 building official and shall be accompanied by a letter from [the] such
37 local building official [, including] that shall include comments on the
38 merits of the application. Any such determination by the State
39 Building Inspector shall be in writing. Any person aggrieved by any
40 decision of the State Building Inspector may appeal to the Codes and
41 Standards Committee within fourteen days after mailing of the
42 decision. Any person aggrieved by any ruling of the Codes and
43 Standards Committee may appeal to the superior court for the judicial
44 district wherein the premises concerned are located.

45 Sec. 4. Section 29-296 of the general statutes is repealed and the
46 following is substituted in lieu thereof (*Effective October 1, 2002*):

47 The State Fire Marshal may grant variations or exemptions from, or
48 approve equivalent or alternate compliance with, particular provisions
49 of any regulation issued under the provisions of section 29-292 where
50 strict compliance with such provisions would entail practical difficulty
51 or unnecessary hardship, or is otherwise adjudged unwarranted,
52 provided any such variation or exemption or approved equivalent or
53 alternate compliance shall, in the opinion of the State Fire Marshal,
54 secure the public safety. Any application for a variation or exemption
55 or equivalent or alternate compliance received by a local fire marshal
56 shall be forwarded to the State Fire Marshal by first class mail within
57 fifteen business days of receipt by such local fire marshal and shall be
58 accompanied by a letter from such local fire marshal that shall include
59 comments on the merits of the application."

This act shall take effect as follows:	
Section 1	<i>October 1, 2002</i>
Sec. 2	<i>October 1, 2002</i>
Sec. 3	<i>October 1, 2002</i>
Sec. 4	<i>October 1, 2002</i>